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EXTRAORDINARY

PART II—Section 3—Sub-section (ii) PUBLISHED BY AUTHORITY

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MINISTRY OF COMMERCE & INDUSTRY

NOTIFICATION

New Delhi, the 1st May 1959

S.O. 993.—Under Clause 2(a) of the Motor Cars (Distribution and Sale) Control Order, 1959, the Central Government hereby appoint Shri V. P. S. Menon, Industrial Adviser, Development Wing, Ministry of Commerce and Industry, Government of India as Controller of Motor Cars for the purposes of the said Order.

[No. AE.Ind.1(37)/59.]

ORDER.

New Delhi, the 1st May 1959

S.O. 994.—Whereas it appears to the Central Government that it is necessary so to do for securing the equitable distribution and availability at fair prices of motor cars;

Now, therefore, in exercise of the powers conferred by section 18G of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby makes the following Order, namely:—

1. **Short title, extent and commencement.**—(1) This Order may be called the Motor Cars (Distribution and Sale) Control Order, 1959.
 - (2) It extends to the whole of India except the State of Jammu and Kashmir.
 - (3) It shall come into force on the 1st day of May, 1959.
2. **Definitions.**—In this Order, unless the context otherwise requires,—
- (a) "Controller" means a person appointed by the Central Government to be the Controller of Motor Cars for the purposes of this Order;
 - (b) "dealer" means a dealer or a sub-dealer in motor cars, and includes an agent appointed by a manufacturer for the sale of motor cars;
 - (c) "manufacturer" means a manufacturer specified in Schedule I;
 - (d) "motor car" means a motor car of any description specified in Schedule I, manufactured or assembled in India, or manufactured in India from components imported into India or manufactured in India or partly imported and partly manufactured in India, and includes every such description of motor car, whether called a station wagon, a utility type passenger car or by any other name;
 - (e) "Register" means the register maintained by a dealer under this Order;
 - (f) "Schedule" means a Schedule to this Order.

3 Controller to fix quotas—The Controller may from time to time, by order,—

- (a) fix quotas of motor cars for meeting the requirements of specified regions in India and different quotas may be fixed for different descriptions of motor cars and for different purposes;
- (b) direct a manufacturer to distribute the motor cars manufactured by him for sale in such regions, in such manner and at such times as may be specified in the order.

4 Distribution of motor cars by manufacturers.—No manufacturer shall, after the commencement of this Order, sell or otherwise dispose of, or offer to sell or otherwise dispose of any description of motor cars manufactured by him, whether manufactured before or after such commencement or whether in assembled or unassembled condition, except in accordance with the order made by the Controller under clause 3.

5 Application for purchase of motor cars—(1) Every person desirous of purchasing a motor car shall apply to a dealer in the form set out in Schedule II.

(2) Every such applicant shall also furnish along with the application a written guarantee from a bank undertaking to pay to the dealer at the time when the motor car is ready for delivery to the applicant a sum of rupees two thousand.

Provided that in the case of a person whose name appears in the books of the dealer as an applicant for the purchase of a motor car at the commencement of this Order, the guarantee may be furnished within thirty days of such commencement.

6 Maintenance of register.—(1) Every dealer shall maintain a register in which he shall register—

- (a) the names and other particulars of persons who have applied to him in the manner specified in clause 5 for the purchase of a motor car;
- (b) the names of persons appearing in the books of the dealer at the commencement of this Order.

(2) The names shall be registered in the case of persons referred to in sub-clause (1)(a), in accordance with the date of the receipt of the application, and in the case of persons referred to in sub-clause (1)(b), in accordance with the date on which the name was entered in the books of the dealer.

(3) The register shall be open for inspection during working hours by any member of the public and by such officers of the Central or State Government as may be authorised by that Government by general or special order.

7. Sale of motor cars by dealer.—No dealer shall, after the commencement of this Order sell a motor car to any person whose name is not on the register maintained by him under clause 6 or otherwise than in the order in which the names are registered in that register.

8. Re-sale of motor cars—(1) No person shall, before the expiry of two years from the date when a motor car was first purchased as a new motor car, sell or offer to sell it except under and in accordance with the terms and conditions of a permit in writing from the Controller, or, in a State, an officer appointed for the purpose by the Government of that State.

(2) In granting or refusing a permit under sub-clause (1) the Controller or other officer shall have regard to the circumstances relating to the proposed transaction and to the purposes to be served by this Order.

9 Maintenance and production of books, accounts etc—(1) Every manufacturer and every dealer shall keep such books, accounts and records relating to the manufacture and distribution or, as the case may be, the sale of motor cars as the Controller may prescribe.

(2) Every such book, account or record shall, when so required, be produced for inspection before the Controller or other authority specified by the Central Government in this behalf.

(3) Every manufacturer and every dealer shall furnish to the Controller such returns, in such manner and at such times as the Controller may specify.

SCHEDULE I

[See clause 2(c) and (d)]

Name of Manufacturer	Description of Motor Cars
1. M/s. Hindustan Motors Ltd. Uttarpara, Distt. Hooghly (West Bengal).	Hindustan Landmaster/Ambassador
2. M/s. Premier Automobiles Ltd., Construction House, Ballard Estate, Bombay.	Fiat '1100'
3. M/s. Standard Motor Products of India Ltd., 29 Mount Road, Madras.	Standard '10'

SCHEDULE II

[See clause 5(1)]

Application for purchase of a motor car

To

(Name and address of the dealer)

Dear Sir,

I/We want to purchase a (description of motor car).

Please book my/our order and let me/us know the registration number of the order and the price of the motor car. I/We forward herewith a Bank Guarantee for Rs 2,000/- from (Name and address of Bank). The other requisite particulars are given below:—

- (a) Full name and address of the applicant;
- (b) Vocation of the application;
- (c) Whether the applicant pays income-tax;
- (d) Whether the applicant owns or has owned any motor car, and if so, the date of purchase and sale, if any, of the last motor car;
- (e) Whether the applicant has registered for a motor car with any other dealer. (If the answer is 'yes', the particulars of the order should be stated.)
- (f) No. and date of Bank Guarantee.
- (g) Specifications of the motor car to be purchased.
- (h) Any other information/instruction for the dealer.

Yours faithfully,

Signature of applicant

Date

[No. A.E.Ind.1(37)/59.]

R. V. RAMAN, Jt. Secy.

